

House Study Bill 212 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON KLEIN)

A BILL FOR

1 An Act providing notice of appeal rights relating to veterans
2 preference.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 35C.3, Code 2019, is amended to read as
2 follows:

3 **35C.3 Duty to investigate and appoint.**

4 When any preferred person applies for appointment or
5 employment under **this chapter**, the officer, board, or person
6 whose duty it is or may be to appoint or employ a person to fill
7 the position or place shall, before appointing or employing a
8 person to fill the position or place, make an investigation
9 as to the qualifications of the applicant for the place or
10 position, and if the applicant is of good moral character
11 and can perform the duties of the position applied for, the
12 officer, board, or person shall appoint the applicant to the
13 position, place, or employment. The appointing officer, board,
14 or person shall set forth in writing and file for public
15 inspection the specific grounds upon which it appointed or
16 refused to appoint the person. At the time of application or
17 at an interview for the position, an applicant may request
18 notification of refusal only or notification of refusal and
19 the specific grounds for refusal. The notification shall be
20 sent within ten days after the successful applicant is selected
21 and shall include information on the right of an unsuccessful
22 applicant to maintain an action for mandamus under section
23 35C.4, or file an appeal and the time to file an appeal under
24 section 35C.5.

25

EXPLANATION

26 The inclusion of this explanation does not constitute agreement with
27 the explanation's substance by the members of the general assembly.

28 This bill concerns veterans preference under Code chapter
29 35C.

30 Code section 35C.3 is amended to provide that notification
31 to a veteran of a refusal to appoint or employ the veteran
32 for employment covered by Code chapter 35C shall include
33 information on the right of the veteran to maintain an action
34 for mandamus under Code section 35C.4 or file an appeal, and
35 the time to file an appeal, under Code section 35C.5.